

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

WESTERN PLAINS CONSTRUCTION	)	4:04CV3336
COMPANY,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
JIVIDEN & CO.,	)	
	)	
Defendant.	)	

The court has been advised that the parties in the above-captioned matter have reached a settlement of their claims. Accordingly,

IT IS ORDERED that:

(1) Within **thirty (30)** calendar days of the date of this order, the parties shall file a joint stipulation for dismissal (or other dispositive stipulation) with the clerk of the court (and provide a copy to the magistrate judge and to United States District Judge Richard G. Kopf, the trial judge to whom this case is assigned), together with submitting to the trial judge a draft order which will fully dispose of the case;

(2) Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice;

(3) This case is removed from the court's March 20, 2006 trial docket upon representation by the parties that the case has settled.

January 23, 2006.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge